

1 WRIGHT, FINLAY & ZAK, LLP  
2 Edgar C. Smith, Esq.  
3 Nevada Bar No. 5506  
4 Victoria L. Hightower, Esq.  
5 Nevada Bar No. 10897  
6 7785 W. Sahara Ave., Suite 200  
7 Las Vegas, NV 89117  
8 (702) 475-7964; Fax: (702) 946-1345  
9 [esmith@wrightlegal.net](mailto:esmith@wrightlegal.net)  
10 [vhightower@wrightlegal.net](mailto:vhightower@wrightlegal.net)  
11 *Attorneys for Defendants, BAC Home Loans*  
12 *Servicing, LP fka Countrywide Home Loans*  
13 *Servicing, LP and Carrington Mortgage*  
14 *Services*

15 UNITED STATES DISTRICT COURT  
16 DISTRICT OF NEVADA

17 RJRN HOLDINGS LLC,

18 Plaintiff,

19 vs.

20 RHONDA DAVIS; BAC HOME LOANS  
21 SERVICING, LP, FKA COUNTRYWIDE HOME  
22 LOANS SERVICING, LP; CARRINGTON  
23 MORTGAGE SERVICES; HACIENDA NORTH  
24 HOMEOWNERS' ASSOCIATION; and DOES 1  
25 through 10, inclusive; ROE CORPORATIONS 1  
26 through 10, inclusive,

27 Defendants.

Case No.: 2:15-cv-01257-JCM-NJK

28 **JOINT MOTION FOR EXTENSION OF  
DISCOVERY AND RELATED  
DEADLINES**

(Second Request)

Plaintiff RJRN HOLDINGS, LLC (“Plaintiff”) and Defendants BAC HOME LOANS SERVICING, LP, FKA COUNTRYWIDE HOME LOANS SERVICING, LP; (“BAC”), CARRINGTON MORTGAGE SERVICES (“CARRINGTON”); RHONDA DAVIS (“DAVIS”), by and through their respective counsel, hereby respectfully move the Honorable Court to extend the dates in the discovery plan and scheduling order in this matter for 120 days, as set forth herein.

The Motion is made pursuant to LR 6-1, LR 26-1, and 26-4 and is based upon the following Memorandum of Points and Authorities, the pleadings on file, and any argument the Court may entertain.

**MEMORANDUM OF POINTS AND AUTHORITIES**

Plaintiff filed its original Complaint on June 16, 2015, and BAC and Carrington filed a Petition for Removal on July 2, 2015 [Doc #1]. BAC and Carrington filed their Motion to Dismiss the Complaint on September 2, 2015 [Doc #9].

An Order approving the parties' joint proposed scheduling order was entered on November 17, 2015 [Doc #18]. No trial date has been set.

The parties herein now respectfully request that the deadlines set forth in Doc #18 be extended for a period of approximately one hundred twenty (120) days, as more fully set forth in the proposed schedule. The parties request this extension as an additional party seeks to intervene in this action, and discovery will need to be completed as to the additional party.

**A. Statement of Discovery Completed**

1. The parties participated in a FRCP 26(f) conference.
2. BAC and Carrington provided their initial disclosures and produced documents pursuant to FRCP 26(a)(1) on November 25, 2015. Plaintiff provided its initial disclosures and produced documents pursuant to FRCP 26(a)(1) on December 2, 2015.
3. Plaintiff served written discovery on Defendant, including interrogatories, request for production of documents, and requests for admissions.
4. Defendant served written discovery on Plaintiff, including interrogatories, request for production of documents, and requests for admissions.
5. The parties conferred regarding the need for additional discovery on February 29, 2016.
6. Based on the intervention of third party buyer, RH Kids, LLC, the parties agree that there is a need for additional time for discovery.

**B. Discovery to be Completed**

1. BAC and Carrington intend to notice the deposition of Plaintiff and the HOA and HOA Trustee.
2. Subpoenas Duces Tecum will be propounded on the HOA and the HOA Trustee
3. Deposition of Plaintiff

1 4. Deposition of BAC's persons most knowledgeable regarding Plaintiff's loan's  
2 accounting and telephonic audio recordings.

3 5. Deposition of Carrington's person most knowledgeable regarding Plaintiff's  
4 loan's accounting and telephonic audio recordings.

5 6. Production of electronic communications identified at Defendant's persons most  
6 knowledge deposition.

7 7. Discovery requests to the third party buyer, RH Kids, LLC.

8 8. Deposition of the Person Most Knowledgeable of the third party buyer, RH Kids,  
9 LLC.

10 8. Follow up discovery after aforementioned depositions taken by Plaintiff and,  
11 depositions of other relevant parties based on additional testimony at Defendant's future FRCP  
12 30(b)(6) deposition.

### 13 C. Reasons for Not Completing Discovery

14 The parties reasonably believed that they could complete discovery prior to the discovery  
15 deadline, but it subsequently came to BAC and Carrington's attention that the property was sold  
16 to a third party, RH Kids, LLC. RH Kids, LLC has intervened in this matter. As such,  
17 additional discovery will need to be conducted. Further, given that no depositions have yet to  
18 take place, extending the discovery deadline would be in the best interests of all parties.

### 19 D. Proposed Discovery Schedule

20 A. Discovery shall be completed on or before **June 28, 2016**.

21 B. Expert disclosures in compliance with FRCP 26(a)(2) shall be made on or before  
22 **April 29, 2016**.

23 C. Disclosures regarding rebuttal experts shall be made no later than **May 30, 2016**.

24 D. An interim status report shall be filed by the parties no later than **April 28, 2016**

25 E. All dispositive motions shall be filed and served on or before **July 27, 2016**

Unless the district judge  
orders otherwise,

Motions in limine may be filed at any time up to 30 days prior to trial.

27 G. The joint pretrial order shall be filed by the parties no later than **August 26, 2016**.

28 In the event dispositive motions are filed, the date for filing the joint pretrial order shall be

suspended to a date which is 30 days after the decision on the dispositive motions or until further order of the Court.

H. Requests to extend any date set by the discovery plan, scheduling order, or other order, shall be made subject to and in accordance with the requirements of LR 26-4.

**CONCLUSION**

Based on the foregoing, all parties to this litigation respectfully jointly request that the current discovery plan and scheduling order be extended as set forth herein.

Dated this 3rd day of March, 2016.

Dated this 3rd day of March, 2016.

**LAW OFFICE OF MIKE BEEDE, PLLC**

**WRIGHT, FINLAY & ZAK**

/s/ Zachary Clayton

/s/ Victoria Hightower

Michael Beede Esq.  
Nevada Bar No. 13068  
Zachary Clayton, Esq.  
Nevada Bar No. 13464  
7854 W. Sahara Ave.  
Las Vegas, Nevada 89117

Edgar C. Smith, Esq.  
Nevada Bar No. 5506  
Victoria Hightower, Esq.  
Nevada Bar No. 10897  
7785 W. Sahara Avenue, Suite 200  
Las Vegas, Nevada 89117

*Attorneys for Plaintiff RJRN Holdings, LLC*

*Attorneys for Defendants BAC Home Loans  
Servicing, LP fka Countrywide Home Loans  
Servicing, LP and Carrington Mortgage  
Services*

**IT IS SO ORDERED**

  
UNITED STATES MAGISTRATE JUDGE

Dated: March 3, 2016